(e) The Grain Purchase Tahsildar decides the percentage of shrinkage to be collected according to the wetness of the paddy.

BURMA RICE—IMPORTATION OF

40. **Dr. S. S. Rao** *(Nominated):* Will Government be pleased to state.—

(a) whether any steps have been taken for adequate supply of Burma rice being imported into the State;

(b) if so, when could we possibly expect to have the first quota and what will be the quantity?

Rao Sahib M. M. Paul *(Director of Food Supplies):*

(a) & (b) The import of Burma rice into India and its distribution will be under the control of the India Government. When they secure supplies of Burma rice Cochin will also get its share according to the Central Scheme of distribution. But nothing definite can now be said as to when these supplies will become available to the State.

ADJOURNMENT MOTION

Lock-out in the Alliance Industries, Trippunittura

Mr. President: I have received three notices of motion to adjourn the business of this House. The first comes from Mr. P. Kumaran Ezhuthassan who wishes to discuss an urgent matter of public importance namely, "the failure of the Government to introduce a Bill for amending the Tenancy Act". I hardly think that it is necessary for the Hon'ble Member to move an adjournment on this subject because I can now say exactly what the position is and there is nothing more to be said. The Bill has been drafted and it is nearly ready for introduction and I hope that it will be introduced during this Session of the House.

Then Mr. Velayudhan who wishes to discuss an urgent matter of public importance to will the banning of "Hindu Kavadi Procession" through the Kunnamkulam Bazaar. I am afraid—must rule this as out of order. The order complained against was a judicial order and the parties have legal remedies if they are not satisfied with it. I cannot allow the motion in public interest.

Mr. Dewer gives notice of a motion for adjournment to discuss a matter of urgent public importance to wit the illegal lock out in the "Alliance Industries", Trippunittura and the failure of the Government to take proper action against the management. I would ask Hon'ble Member to show how this is a specific matter of urgent public importance.

Mr. P. K. Dewer *(Nominated):* Recently an order has been passed by the Government under the Defence of India Rules asking the workers and employers to give notice of 14 days before a lock-out or a strike was declared. The Management of the Alliance Industries wanted a wage cut which the workers were not prepared to accept. The management on the 28th of last month wanted the workers to give an undertaking that they will be prepared to work at a reduced wage and because they did not consent and because they did not accept the wage cut, the management kept them out. Under the Trade Disputes Act a lock-out means the keeping out of a section of the workers or the entire workers of an undertaking with a view to coerce the workers to a certain agreement. Here the management wanted to coerce the workers to agree to an unreasonable wage cut by a lock-out and the lock-out is being continued. Now the Government under the recent order had to take action against the management of the Alliance Industries and he ought to have been under arrest many days before today; because he has committed an offence by not giving notice of 14 days to the Government. I had no time for sending a resolution on this subject giving the required notice. So far as I know no action has been taken against the management. The management is still continuing the lock-out. In spite of the conciliatory methods which the Labour Commissioner tried the management has not come to terms and still they are keeping the workers out with a view to coerce the workers to the wage cut. When the offender is a labourer our Government promptly takes action against him. Here the offender is an employer and the Government have not moved their small fingers to book him. When a rule is passed it must be applicable to both the parties, *i.e.*, the employer as well as employee. This attitude of the Government would only encourage other employers to defy the orders of the Government and victimise the workers without let or hindrance. I do not want to allow such things and hence I have given notice of this adjournment motion of a very serious and urgent public importance. It is urgent because the workers are suffering, important because the law of the land has been flouted.

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Mr. C. J. Mathew *(Joint Secretary to Government):* It is true that a certain weaving establishment did make a cut in the wages of the labourers. Immediately this information was received by the Labour Commissioner he rushed to the spot and with the help of the Director of Industries he made detailed enquiries into the matter. It was found that the reduction of wages was necessitated for reasons beyond the control of the management. There was over accumulation of hand wooven stuff which was not fetching a reasonable price in the markets within the State.

The feeling that mill made cloth will soon become available brought about some slack in the sale of the handloom stuff. The result is the management has now to work the concern without making any profit. The Labour Commissioner examined the stock remaining unsold and he also examined the accounts to verily the correctness of the statements made by the management and he was satisfied that they were all correct. So the solution actually lay in getting permits to export the accummulated stuff to markets outside the State where the management will be able to get better prices. Accordingly the Assistant Textile Commissioner was approached and he has now agreed to issue permits for exporting this stuff, at least to the extent of 30 per cent, to markets outside the State. Immediately this was arranged the management undertook to restore the old rates of wages. Thus a sort of arrangement has been tentatively arrived at. It is hoped that things will be soon settled amicably between the parties concerned. With regard to the question of the offence, namely, creating a lock-out, no action has been taken against the management till now. The matter is being investigated by the police. If any such offence has been committed, certainly action will be taken against the management.

***Mr. P. Govinda Menon** *(Ernakulam):* May I make one submission. I am surprised that the Hon'ble Joint Secretary made a speech on this matter whether the motion made by the Hon'ble Member for Labour is in order or not or whether it is matter of recent occurence and public importance or not. The question is this. The Hon'ble Member for Labour whose statement seems to be authentic states on the floor of this house that there is a trade dispute existing in the firm which he referred to. I am not personally aware of the details of the matter. If there is a trade dispute existing then closing the firm means a lock-out as defined in the Trade Disputes Act and under the Defence of India Rules and Orders made by this Government neither a lock-out nor a strike is possible without 14 days notice being given.

Rama Varmha Tampuran, M.B.E. *(Secretary to Government):* Only in certain special industries. Not in all cases.

Mr. P. Govinda Menon *(Ernakulam):* In undertakings which will be covered by that order a strike or lock-out without 14 days notice is illegal and I believe this is an undertaking contemplated by the order issued under the Trade Disputes Act. The point is whether it is not a matter of very great public importance where employers take into their heads to violate or to declare a lock-out when the law declares them to do certain things. The learned Secretary referred to certain action taken by the Commissioner for Labour. But that is not the question. If employers are allowed that impunity to take the law into their own hands which applies equally to the labourer and the employer. Then this is a very serious matter affecting the public and therefore assuming the statement made by the Hon'ble Member to be correct then I submit there is a case of very great public importance in which this House as the custodian of the interest of the public are interested in discussing.

Mr. President: I understood the Secretary speaking on behalf of the Government to say that the Commissioner of Police was making enquiries.

Mr. P. Govinda Menon *(Ernakulam):* That exactly is not the question, Sir.

Mr. President: I understand that that was not the point.

Mr. P. Govinda Menon *(Ernakulam):* Whether it is an offence or not it may be a thing for the police to enquire and decide. But whether it is an offence there is an action which has taken place. If it is not all the more the reason.....

Mr. President: But what I would suggest to Hon'ble Members is this. Though Government have given such information as is in their possession, they cannot give any further information on a discussion for the adjournment and what useful purpose is likely to be served by further discussion, I am not quite sure.

Mr. P. Govinda Menon *(Ernakulam):* We are now only on the point of admitting the motion. We also are not prepared to speak on the merits of the matter, and Government themselves will also be able to gather more materials and enlighten us. We may be able to give

* Speech not corrected by the Hon'ble Member.

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more on the merits of the matter when the discussion comes later on. Whether up on the facts said by the Hon'ble Member for Labour there is a matter of public importance fit to be discussed in this House.

Rama Varmha Tampuran, M.B.E. *(Secretary to Government):* May I say one word by way of explanation. The motion for adjournment turns round the question whether the Government have acted right after knowing that there has been a lock-out. The question is whether the Government should not have prosecuted already the management for having locked out these workers. I submit that the Government have stated that they will not take any action on that point. The matter came to the notice of the Government recently and the police is enquiring into the case. We have to refer the matter to our legal officer and only after ascertaining their views can we decide whether this will come under notification No. 57, dated 23rd October 1945. It is too early to say what action Government are going to take in this matter and unless that is known it is correct to say that Government have acted wrongly. Therefore it is premature now to bring such a motion before this House.

Rao Sahib K. Ayyappan *(Ezhuvas-Kanayannur):* It has already been very much prolonged. Therefore the labourers will be coerced.

Rama Varmha Tampuran, M.B.E. *(Secretary to Government):* The question before this House now is whether the Government have acted right or wrong after receiving information on this matter. I submit that Government are making enquiries in this matter. We have to receive the Police Commissioner's report about the matter and we have to refer it to our legal officers because the question is not so easy as it pretended to be. This notification will apply only to Industries which are for maintaining supplies and services essential to the life of the community. Whether this particular establishment wi l come under the purview of this no ification is a real point of doubt and that point has to be decided.

Mr. President: I do not think that there should be any further discussion at this stage. I shall consider the admissibility of this motion and give my ruling after questions to-morrow.

Announcement of Panel Chairmen

Mr. President: I have now to announce that I have appointed to the Panel of the Chairman Rao Bahadur T. S. Narayana Ayyar and Mr. Puthur Achutha Menon.

Announcement regarding election of Members to the Advisory Committee for Labour

Mr. President: The election of the two members to the Advisory Committee will be held on Wednesday. Nominations will be received by the Secretary to the Legislative Council up to 5 p m. to-morrow, Tuesday 27th November 1945.

Announcement of Bills assented and dissented to by H. H. the Maharaja

Secretary to the Council: Under S. O. 5 (2) I have to announce the bills assented to and dissented to by His Highness the Maharaja.

Bills assented to.—

(1) Preservation of Eries Bill.
(2) The dissolution of Muslim Marriage Bill.
(3) The Cochin Arbitration Bi l.
(4) The Cochin Industrial S.atistics Bill.

Bills dissented to.—

(1) The Cochin Specific Relief Act (Amendment Bill) by Mr. K. Narayana Menon.

Condolence motion on the demise of Mr. M. P. Cheriyan

Rama Varmha Tampuran, M.B.E. *(Secretary to Government):* With your permission I wish to move the following condolence motion for the consideration and acceptance of this House.

> "This House places on records its deep sense of sorrow on the sad demise of Mr. M. P. Cheriyan, who had been for some time the Joint Secretary to Government and an official Member of this House."

Several Members of this House will remember Mr. Cheriyan who was one of the earliest Joint Secretaries of this Government. With his very affable manners and easy accessible nature

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